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APPLICATION OF

B & J ENTERPRISES, L.C.

CASE NO. PUE990616

**For a certificate of public
convenience and necessity to
operate a sewerage utility**

HEARING EXAMINER'S RULING

March 10, 2000

By Commission order dated February 15, 2000, a procedural schedule for the filing of pleadings, prepared testimony and exhibits and the publication of public notice was established. The order further stated a public hearing date would be established by subsequent ruling.

On March 9, 2000, counsel for B & J Enterprises, L.C. ("B & J" or "the Company") filed a motion requesting an extension of the time ordered by the Commission for the Company to provide public notice to its customers and to file proof of notice with the Clerk of the Commission. Company requests that the February 25, 2000, deadline established by the Commission be extended until March 8, 2000. In support of the request, counsel states that B & J failed to provide the required notice and proof of notice by the date specified due to inadvertence. B & J further states that upon detecting the error, it promptly provided the required notice to each customer on March 8, 2000. Finally, B & J submits that no party will be prejudiced by its late provision of the notice and proof of notice.

I find the Company's Motion for Extension of Time should be granted. I further find that a public hearing should be scheduled on this application. Accordingly,

IT IS DIRECTED:

- (1) That the Company's Motion for Extension of Time is granted;
- (2) That a public hearing on this matter is hereby scheduled for June 6, 2000, at 10:00 a.m., in the General District Court, 300 South Main Street, Blacksburg, Virginia;
- (3) That the Company shall forthwith mail a copy of this Ruling by first-class mail, postage prepaid, to Dr. John Moore, President, Blacksburg Country Club Homeowners' Association, 1687 Plank Drive, Blacksburg, Virginia 24060-9253; and to the Chairman of the Board of Supervisors of Montgomery County, Virginia; and

(4) That, at the commencement of the public hearing, the Company shall provide proof of notice as required by Paragraph (3) of this Ruling.

Michael D. Thomas
Hearing Examiner